

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS (PHENTERMINE/ FENFLURAMINE/DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION	:	MDL DOCKET NO. 1203 2:15 MD 1203
THIS DOCUMENT RELATES TO:	:	
SHELLA BROWN, et al.	:	
v.	:	CIVIL ACTION NO. 99-20593
AMERICAN HOME PRODUCTS CORPORATION	:	
THIS DOCUMENT RELATES TO:	:	
Claimant: Girtha Flakes	:	
Claim No.: 183/00 8016575	:	

PRETRIAL ORDER NO. 8029

ORDER SETTING BRIEFING SCHEDULE FOR APPEAL FROM
REPORT AND AWARD OF ARBITRATOR

AND NOW, on this 26th Day of November, 2008, upon consideration of the appeal of Claimant Girtha Flakes from the Report and Award of the Arbitrator who presided over her appeal from the AHP Settlement Trust's Final Determination on her Claim for Matrix Compensation Benefits, it is hereby ORDERED that:

(1) The Chair of the Arbitration Panel ("Chair") shall number the pages of the arbitration record consecutively and within ten days of the date of this Order shall provide to the Court, the Claimant and counsel for the AHP Settlement Trust a complete copy of the arbitration record.

(2) Within thirty days of the date of this Order, Claimant shall file and serve an appellate brief, which shall

include a statement of the issues presented for review, a summary of Claimant's argument and a conclusion stating the precise relief sought. Claimant's brief shall not exceed twenty pages in length.

(3) Within twenty days of service of Claimant's brief, the AHP Settlement Trust shall file and serve a responsive brief. The AHP Settlement Trust's responsive brief shall not exceed twenty pages in length.

(4) Within eleven days of service of the AHP Settlement Trust's responsive brief, Claimant may file and serve a reply brief. Claimant's reply brief, if any, shall not exceed ten pages in length.

(5) All references to the arbitration record in the parties' briefs shall be to the pages of the record as marked by the Chair.

(6) The Court will not consider evidence that is not part of the arbitration record.

BY THE COURT:



C.S.